

Rev. 3/19

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

MS. NAOMI Sue White EAGLE  
Plaintiff's full name and prisoner number

Plaintiff,

v.

Case No. 2:24-cv-01388-JCC-BAT  
(leave blank – for court staff only)

Washington State Department

OF CORRECTIONS Personals, et al PRISONER CIVIL RIGHTS  
COMPLAINT

MR. GARY BOHON, MR. M. SIMMONS, et al  
Defendant's/defendants' full name(s)

Defendant(s).

Jury Demand?

☒ Yes  
☐ No

(If you cannot fit all of the defendants' names in the space provided, please write "see attached" in the space above and attach additional sheets of paper, as necessary, with the full list of names. The names listed here must be identical to those in Section II. Do not include addresses here. **Individuals whose names are not included in this section will not be considered defendants in this action.**)

WARNINGS

1. Do not use this form if you are challenging the validity of your criminal conviction or your criminal sentence. If you are challenging your conviction or sentence, or if you are seeking restoration of good-time credits that would shorten your sentence, you must file a Petition for Writ of Habeas Corpus. If you use this form to challenge your conviction or sentence, you risk having your claim dismissed. Separate forms are available for filing a habeas petition.

2. Under the Prison Litigation Reform Act ("PLRA"), you are required to exhaust all remedies in your institution's grievance system that are available to you before filing suit. This generally means that you must file a grievance and, if it is denied, appeal it through all available levels of review. Your case may be dismissed if you fail to exhaust administrative remedies, unless the administrative grievance process was not "available" to you within the meaning of the PLRA. You are not required to plead or show that you have exhausted your claim in this complaint.

3. Please review your complaint carefully before filing. If your case is dismissed, it may affect your ability to file future civil actions while incarcerated without prepaying the full filing fee. Under the PLRA, a prisoner who has had three or more civil actions or appeals dismissed as frivolous, malicious, or for failure to state a claim cannot file a new action without first paying the full filing fee, unless the prisoner is in imminent danger of serious bodily injury.

4. Under Federal Rule of Civil Procedure 5.2, papers filed with the court, including exhibits or attachments to a complaint, may not contain certain information, which must be modified as follows:

Do not include:

- a full social security number

- a full birth date

- the full name of a minor

- a complete financial account number

Instead, use:

→ the last four digits

→ the birth year

→ the minor's initials

→ the last four digits

5. You may, but do not need to, send exhibits, affidavits, grievances, witness statements, or any other materials to the Clerk's Office with this complaint. Any documents you submit *must relate directly to the claims you raise in this lawsuit*. They will become part of the court record and *will not be returned to you*.

#### I. PLAINTIFF INFORMATION

WHITE EAGLE, NAOMI, SUE  
Name (Last, First, MI)

Lowell Gene Lowe  
Aliases/Former Names

855988  
Prisoner ID #

Monroe Correction Complex - T.R.M  
Place of Detention

P.O. Box 888  
Institutional Address

Snohomish  
County, City

Monroe

WA  
State

98272  
Zip Code

Indicate your status:

☐ Pretrial detainee

☐ Civilly committed detainee

☐ Immigration detainee

☒ Convicted and sentenced state prisoner

☐ Convicted and sentenced federal prisoner

**II. DEFENDANT INFORMATION**

Please list the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint. Make sure that the defendant(s) listed below are identical to those contained in the caption on the first page of the complaint. Attach additional sheets of paper as necessary.

Defendant 1: BaHn, Gary  
 Name (Last, First)  
Head of WA STATE D.O.C CLASSIFICATION Board  
 Current Job Title  
Washington State D.O.C Headquarters P.O. Box 41100  
 Current Work Address  
Olympia WA 98504  
 County, City State Zip Code

Defendant 2: Simmons, Mr. Mike, et  
 Name (Last, First)  
Transgender Housing of D.O.C H.P Classification  
 Current Job Title  
Washington State D.O.C Headquarters P.O. Box 41100  
 Current Work Address  
Olympia WA 98504  
 County, City State Zip Code

Defendant 3: Brown, Keven. C  
 Name (Last, First)  
MCC TR4 B-unit Supervisor, C.M.S  
 Current Job Title  
Monroe Washington P.O. Box 888  
 Current Work Address  
Snohomish WA 98272  
 County, City State Zip Code

Continued on Attachment-A

Defendant Information  
Continued, Att. A

Defendant, 4. ms. Reynolds, Alexandra, m  
NAME (LAST, FIRST)

current JOB, C.C.2

work Address, m.c.c TR.4, P.O Box 888  
monroe washington, 98272

---

Defendant, 5. Cardens, NA  
NAME (First last)

current JOB, C.C.2

work Address, m.c.c TR.4 P.O Box 888  
monroe washington, 98272

---

Defendant, 6. Miller - SCMO (chair)  
work address NA

Defendant 7. Stacy, m, Thompson  
work address NA

Defendant 8. Cossette - ~~C~~ C.S.4  
Info NA

Defendant 9. T. Morrissey - SS.S.

Defendant 10. D. Hanson - SOTP.S.

Defendant 11. Garner, - INV3;

Defendant 12. D. Feist - Admin, C.B.S;

Defendant 13. R. Fall - CS4;

Defendant 14. L. Roberts - C.P.M



### III. STATEMENT OF CLAIM(S)

*In this section, you must explain what you believe each defendant did to violate your civil rights, and if you know, identify the federal statutory or constitutional right you believe was violated.*

*If you believe the defendant(s) violated your civil rights in more than one way, explain each violation under a different count. For example, if you believe you received constitutionally inadequate medical care and your religious rights were substantially burdened, include one claim under "Count I" (i.e., medical) and the other claim under "Count II" (i.e., religion).*

*Number your paragraphs. For example, in Count I, paragraphs should be numbered 1.1, 1.2, 1.3, etc., and in Count II, paragraphs should be numbered 2.1, 2.2, 2.3, etc. The first two paragraphs of each Count have been numbered for you.*

*If you have more than three counts, attach additional pages and follow the same format for each count.*

*If you attach documents to support the facts of your claim(s), you must specify which portion of the document(s) (i.e., page and paragraph) you are relying on to support the specific fact(s) of your claim(s). If you do not specify the portion of the supporting document(s), the Court may disregard your document(s).*

#### COUNT I

*Identify the first right you believe was violated and by whom:*

1.1 conditions of confinement, 8th & 14th Amendments -  
ments, (By defendants named on page 3) (A, D, A)

*State the facts of your first claim below. Include all the facts you consider important. Be specific about dates, times, locations, and the names of the people involved. Describe exactly what each specific defendant did or failed to do that caused you injury or violated your rights, and include any other facts that show why you believe what happened was wrong. If you need additional space, you may attach extra sheets.*

1.2 comes now plaintiff pro se opening to  
The Honorable Court Judge et al. fact 1.2  
plaintiff Ms. Naomi Sue White Eagle did  
undergo Gender affirming vaginal plays.

Surgery on 5/23/2023. Making plaintiff a 100% Female Equal By all Standards OF LAW unto the Law To Any & Women Rights.  
1.3

on 6/6/2024 WA State Department of Corrections DID Transport plaintiff MS. White Eagle 855988 From Airway Heights Corrections Center I, P. 4 Back to M.C.C. T.R. 4 A all male General population prison knowing full well that plaintiff MS. White Eagle is a Female prisoner,  
1.4

on 6/10/2024 plaintiff MS. White Eagle Filed a Resolution Request - Grievance - (See Attachment 1-A)  
1.5

on 8/5/2024 plaintiff MS. White Eagle DID submit a CLASSIFICATION APPEAL Addressed (See Attached page-)

State with specificity the injury, harm, or damages you believe you suffered as a result of the events you described above in Count I. Continue to number your paragraphs.

I plaintiff is under ongoing mental & emotional abuse at hands of WA State D.O.C. staff unto housing by staff & inmates due degrading, harassments et al.

Page 5-1

Count I Attachment

1.5 Continued -

To Mr. Gary Bohon of WA State Head Quarters's classification (See Attachment 1.B) making a well known Fact That The WA D.O.C Classification team et al ARE IN THE KNOWN THAT A Female prisoner is wrongfully housed in a all male B.P prison at M.C.C T.R.U.

1.6

plaintiff now brings forth Attachment 1.C (a six month Review F.R.M.T Hearing Report) That clearly shows That all named defendants is the wa state Department of corrections personnels who ARE in Violation of plaintiffs 1st & 8th Amendment and A.D.A Rights by all standards of unto Law By wrong - Fully Housing Her (a Full women of Her Body, and unto all Law's) at a All male population wa state prison!

continued on page 5-2



Page 5-2

Count 2 Attachment

1.6 Continued

defendants names as on Attachment  
 1, C-F, R, M, T minets, 8-1-24 Formal  
 HCSC Attendees; J. Miller-Smo(chair); S.  
Thompson-AA3; M. Cossette-CS4; T. Morrissey  
-SS; S Hanson S.O.T.P; S Garner-NIV3; D.  
Feist Admin. C, B, C R. Fall-CS4; L. Roberts-  
C, P, M, (this team above is defendants et al.)

1.7 Decision of this said Hearing was-IS  
 to keep plaintiff at WA State Monroe  
 Correction Center (a all male prison  
 Housing population with known Fact  
 plaintiff is a women - female prisoner,

1.8

on about 7/12/2024 plaintiff Had  
 a meeting with the WA State  
 D.O.C Gender Services mental Health  
 CARE Provider Ms. Nikki Rymer,  
 The plaintiffs M.H therapist in  
 where ms Rymer stated that Reason  
 for mee this Housing placement was  
 because I would not Agree to S.O.T.A.P  
 (Set offender Treatment programme)



Page 5-3

Count 1 - Attachment con'

1.8 Continued

plaintiff is not a sex offender and is not court ordered to do SOTAP and does not meet criteria for the program (See Attachment). However the issue stands that a female is not safe in any all male housing prison population.

1.9 update information as unto WA State D, O, C classification team Reasoning of Housing Plaintiff in all male S, P Housing population prison at MCC TRU Monroe Correction Center, on about 6/11/2024 during a conversation between Plaintiff & The MCC TRU B Unit Supervisor Mr Keven Brown Mr Keven Brown did make claim to Plaintiff verbally that WA State D, O, C classification's team's find that Reason for Plaintiff Ms. White Eagle be housed in a all male population

PAGE 5-4  
 Count 1. Attachment con'

OF WA State Department OF  
 Correction prison at MCC TRU  
 is That Back in 1997 The plaintiff  
 MS, NAOMI Sue White Eagle in  
 State OF IDAHO WAS convicted OF  
 The Charge OF Attempted Rape  
 OF Another Women, For Record  
 Fact OF The IDAHO 1997 Case the  
 Plaintiff WAS NOT convicted OF  
 Attempted Rape at All, However  
 That Case WAS dismissed and  
 Plaintiff WAS wrongfully Re-  
 charged under Aggravated Assault,  
 (not a sex crime conviction).  
 CASE NO, CR9604392 09-17-1996

1.10.

on about 7/15/2024 plaintiff's mental  
 Health therapist MS, Nikki Rymer  
 told plaintiff That Reason Housed  
 at MCC TRU a male prison was  
 due plaintiff Refused to undergo a  
 Sex Treatment Programme S.O.T.A.P



Page 5-5  
 Court 4, Attachment can'

plaintiff is not court ordered to  
 S.O.T.A.P And dose not meet Cirytaria  
 So truthfully plaintiff see's no  
 Reasoning of Good Faith why she  
 must Be housed at a all male  
 B.P WA state population prison.

1, 11

The plaintiff HAS gone backward  
 unto mental Health issues to  
 point of ms. Nikki Rymer  
 Having plaintiff put back on  
 mental Health medications to  
 Help plaintiff try n cope better  
 with the ongoing water inflection  
 of mental emotional Abuse of  
 and By men of MCC TRU All male prison  
 men aproch plaintiff for Setual  
 Favor's, Some men Hate trans women.  
 A very Stressfull in placement of housing  
 ongoing!



Page 5-6  
 Count 1 Attachment con'

1,12

On 5/23/2024 plaintiff did under go  
 Sexual Reassignment vaginal plasty Surgery.  
 On 6/6/2024 14 day after plaintiff's  
 Surgery at Airway Heights Correction  
 Center I.P.U. she was informed by  
 2 C/O transport team officer's  
 That plaintiff was being transferred  
 to the Washing Corrections Center  
 For women W.C.C.W. mid transport  
 while meeting with transport team  
 C/O plaintiff was then told, no  
 your going back to MCC T.I.U. A  
 all male wa state prison, this  
 was cause of greate mental shock  
 disstress & mental & emotional  
 confusion, depression et al, to  
 Be a women put into this alfull  
 Situation of Abuse was and is  
 almost more pain & suffering mentally  
 & emotionally then plaintiff can bare -  
 Handle!

p6,12

Page 5-7  
 Count 1 Attachment Contended

1.13

Plaintiff Ms. Naomi Sue White Eagle  
 855988 DID ATTEMPT TO exhaust  
 Administrative remedies by use of  
 The WA State Department of Corrections  
 Resolution Request (Givance) programme  
 only to Be under minded by Resolution  
 programme manager / designee B-perterson  
 See Attachment 1, A OF Attachments.  
 So Her Administrative remedies ARE  
 now plainly exhausted due time bared  
 et al. And AS a A, D, A & 8th 14th  
 addmendment claim under A, D, A, &  
 A DA complaint Filed by KIOS 8/4/2024

1.14

plaintiff dose Swear under penalty  
 OF perjury all facts with in  
 this - Her statement's to Be true  
 and correct to Best of Her knowledge  
 on this Date 8/31/2024

Ms. Naomi Sue White Eagle-855988  
 Ms. Naomi Sue White Eagle

p6, 13



# Grounds

## Count 4 attachments

### are law et

Plaintiff makes known safety concerns & risks of harm unto Plaintiff's increased risks unto vulnerability. As Plaintiff is full pledged female having had her complete sexual reassignment surgery, And is being housed in a male prison which is where Plaintiff's safety is a risk & Is a concern being at increased vulnerability for harm, sexual assault, rape, gang rape unto which Plaintiff has been continually harassed & threatened unto harm, rape. Plaintiff being housed in a male prison is also shameful, humiliating, embarrassing & demeaning / degrading as Plaintiff's further more rights & privileges are limited & restricted, And denies Plaintiff equal rights & privileges unto similarly situated, in which Plaintiff should & Is to be with those similarly situated & in a female prison. As by Defendant's keeping & housing Plaintiff in a male prison is violative of Plaintiff's equal protection of & unto rights & privileges under the 9th & 14th Amendment. As Plaintiff is denied such rights & privileges being not housed in a female prison & with those similarly situated. more over by housing Plaintiff properly in a female prison would limit & greatly reduce the safety concerns, & increased vulnerability, risks of potential & possible harm, rape, sexual assault, And would greater reduce threats, harassment, stalking, which Plaintiff continually deals with on a daily basis & causes & creates Emotional Distress, Anxiety, sleeplessness, fear, unto which Plaintiff has made known by complaints which Defendant's over look & ignore Plaintiff's requests to be housed in a female prison & to be with those similarly situated. For



Defendant(s) lack of concern for & to Plaintiff's safety & well being, keeping Plaintiff in a male prison where Plaintiff is at increased risk(s) vulnerability to & for harm, Is disregard to state & federal laws, regulations, policies. As Plaintiff should be & Is to be free from such harassment, Shame, humiliation, & invasion of privacy, hostility As to that as such RCW's: per, RCW: title 49, 49.60.180, 49.60.030 9A.36.080, 9A.80.010, 72.72.010<sup>9 or</sup> 72.70.010 And unto such WAC's: As to WAC: 162-32-010, 163-32-040 246-919-640, 137-28-285 & 13A-350-020 & As to the 8th & 14th Amendment. Plaintiff citing similar like case unto Placement to be with those similarly situated & to be housed in a female prison. see, Pietka v. Mix 957 f.2d 1480 1484 ) Being as to Plaintiff's safety & to & for equal rights & privileges, fairness under the 8th & 14th Amendment. Defendant(s) acts/actions by keeping & housing Plaintiff in a male prison when Plaintiff should be housed in a female prison gives rise & claims unto Indifference, Interference, & Discrimination; Depriving Plaintiff of fair rights & privileges. see, RCW: title 49 & that as to Kumar V. Gate Gourveet INC, 180 wn.2d 481 ) citing; 2020 U.S. Dist. Lexis 5 ) 2020 U.S. Dist. Lexis 4 ) & that unto 18 U.S.C. § 242, 18 U.S.C. § 2340 Plaintiff being housed in a male prison denies & keeps Plaintiff from the rights, fairness & privileges that Plaintiff would get being housed in a female prison; being with those similarly situated. And Defendant(s) do cause

Plaintiff Emotional Distress, fear, Anxiety, stress, sleeplessness by housing Plaintiff in a male prison. As increases Plaintiff's risks) & vulnerability to & for harm & is a safety concern & that of/unto wellbeing as to potential increase for assault, rape, further continued harassment, & sexual harassment - sexual assault. In which by Defendant(s) doing so they do cause Emotional & mental Distress, Fear, Anxiety, which is violative of Rev. 51.24.020 As Defendant(s) CANNOT cause, create & or do being violative of Rev. 51.24.020 Plaintiff stating that as to wounded psyche & soul, such being the hurt done to feelings & to reputation by interference, disregards & or an invasion of constitutional rights is No less real & No less compensable than the cost of repairing a broken or damaged lock or a window pane. wounded psyche & soul are to be salved by damage as much as the property that can be replaced, at the local hardware store. Thus being courts & this respectfully said court have & should recognized) that personal humiliation, embarrassment, harassment & mental distress imposed as a result are compensatory. Plaintiff's reasonings being proper & to be compensated. Plaintiff also requesting as well unto that & of, to be housed in a female prison being with those similarly situated. Plaintiff further citing; Garner v. Giarrusso 571 F.2d 1330 1339 (5th cir 1976) Hostrop v. Board of Junior college dist. 515 523 F.2d 569 579-80 (7th cir 1975) Williams v. Matthews Co. 499 F.2d 819 829 (8th cir 1974) & Seaton v. Sky Realty Co. 491 F.2d 634 636 (7th cir 1974) Plaintiff further states &



Plaintiff in a male prison. As Plaintiff CANNOT dress, shower, do daily activities without one trying to look & or watch & is shameful, embarrassing, humiliating being the unwarranted exploitation & or appropriation of Plaintiff's personality. As it is the wrongful intrusion of Plaintiff's daily activities being in such a manner causing Plaintiff mental suffering, shame, humiliation, such being a actionable invasion of privacy.

Plaintiff quoting; like case. State Farm fire & Cas. Co. v. Compupay INC. 654 So.2d 944 948 (Fla. 3d DCA 1995)

Continued violation further more endorses a quid pro quo sexual harassment theory. which is a prohibited act under title VII see also citing; Harper v. Blockbuster Entertainment Corp. 139 F.3d 1385 1387 (11th cir 1998) As to Plaintiff being housed in a male prison is wilfull disregard of & to Plaintiff's human rights, safety & privileges. 2000 U.S. Dist. Lexis 14 ) As

Defendant(s) also Discriminate by Not making reasonable considerations & or accomadations as to rules, regulations, & policies. As to that of Plaintiff's safety & Known Physical & Emotional/mental Distress. which is well Established &

Documented. As Plaintiff should be housed in a female prison & Plaintiff is Qualified unto & with Disabilities. see that as to Terrell v. U.S. air 132 F.3d 621 624 (11th cir 1998) And that unto 42 U.S.C. § 12112 )

Plaintiff Respectfully asking said court to take Notice & Have consideration of & on Plaintiff's Pleadings Having come forth unto the vulnerability of danger, safety, Risks of - unto Harm. Plaintiff's Prayer



for relief; As to that of being Placed in a female prison & to be with those similarly situated. And for compensatory, punitive-nominal relief / damages as to such findings being favorable & deemed appropriate by said court. Plaintiff defining claims as to such acts / actions arising & being proper & appropriate under Const. Laws, policies, & treaties under & per the civil Rights act of 1871

Plaintiff Respectfully seeking & requesting said court to force Defendant(s) to rightfully place & house Plaintiff in a female prison & to be with those similarly situated as to Plaintiff...

Plaintiff Respectfully submits Pleadings  
this 31 day of August 2024

Ms. Naomi Sue White Eagle, 855988

MCC T.R.Y B-5221

P.O. Box 888

Monroe WA 98272

Ms. Naomi Sue White Eagle  
Date 8/31/2024

**IV. RELIEF**

State exactly what you want the Court to do for you. For example, you may be seeking money damages from an individual defendant, you may want the Court to order a defendant to do something or to stop doing something, or you may want both kinds of relief. Make no legal arguments. Cite no cases or statutes.

Respectfully plaintiff seeks proper placement  
unto Housing, Compensatory punitive normal  
Relief / damages of what court finds amount  
appropriate said by court judge / respectfully

**V. SIGNATURE**

By signing this complaint, you represent to the Court that you believe the facts alleged to be true to the best of your knowledge, that you believe those facts show a violation of law, and that you are not filing this complaint to harass another person or for any other improper purpose.

9 / 2024  
Dated

Ms. Naomi S. White  
Plaintiff's Signature